



PRESS RELEASE
*Office of the United States Attorney
Middle District of Florida*

PAUL I. PEREZ
UNITED STATES ATTORNEY

400 North Tampa Street
Suite 3200
Tampa, Florida 33602
813/274-6000
813/274-6300 (Fax)

300 North Hogan Street
Suite 700
Jacksonville, Florida 32201
904/301-6300
904/301-6310 (Fax)

80 North Hughey Avenue,
Room 201
Orlando, Florida 32801
407/648-7500
407/648-7643 (Fax)

2110 First Street,
Suite 3-137
Fort Myers, Florida 33901
239/461-2200
239/461-2219 (fax)

Contact: Steve Cole ♦ Public Affairs Specialist ♦ 813/274-6352

For Immediate Release

October 29, 2003

BRADENTON RESIDENT NICOLE CLARE CAPOBIANCO
CHARGED IN HEROIN OVERDOSE DEATH

Tampa, Florida - United States Attorney Paul I. Perez today announced the unsealing of an indictment charging Nicole Clare Capobianco, a 22 year old resident of Bradenton, Florida, with distribution of heroin that caused the overdose death of Michael Andrew Tippery, Jr., age 23 year, of Bradenton, Florida, and two counts of distribution and possession of heroin with the intent to distribute. If convicted, Capobianco faces a mandatory minimum term of twenty years' imprisonment up to life imprisonment and a fine of \$1million for distributing the heroin that caused the death of Michael Andrew Tippery, Jr., and up to twenty years' imprisonment, and a fine of \$1,000,000, as to the remaining charges. Capobianco was arrested this morning and will have her initial appearance this afternoon at 3:00 pm before United States Magistrate Judge Thomas G. Wilson.

The indictment alleges that on June 6, 2003, Capobianco distributed heroin that caused the death of Michael Andrew Tippery, Jr., and, on June 7, 2003, Capobianco distributed more heroin and possessed heroin with the intent to distribute it.

An indictment is merely a formal charge that a defendant has committed a violation of the federal criminal laws, and every defendant is presumed innocent until, and unless, proven guilty.

The case was investigated by the Manatee County Sheriffs Office and the United States Drug Enforcement Administration and will be prosecuted by Assistant United States Attorney Kathy J.M. Peluso.